

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

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*In re Dealer Management Systems Antitrust  
Litigation, MDL 2817*

No. 1:18-CV-864  
Hon. Amy J. St. Eve

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**MOTION FOR DIRECT ASSIGNMENT OF CASES  
PURSUANT TO LOCAL RULE 40.3**

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Defendants CDK Global, LLC and The Reynolds and Reynolds Company<sup>1</sup> respectfully request that the Court enter an order reassigning the cases captioned *Northtown Automotive Companies, Inc. v. CDK Global, LLC and The Reynolds and Reynolds Company*, Case No. 18-CV-833 (N.D. Ill.) (filed February 1, 2018 and assigned to Judge Coleman), *Cox Motors N.C. Inc. d/b/a Cox Toyota v. CDK Global, LLC*, Case No. 18-CV-845 (N.D. Ill.) (filed February 1, 2018 and assigned to Judge Blakey), and *Bob Baker Volkswagen v. CDK Global, LLC and The Reynolds and Reynolds Company*, Case No. 18-CV-909 (N.D. Ill.) (filed February 2, 2018 and assigned to Judge Coleman) to this Court as potential tag-along actions to the instant MDL proceedings. Copies of the Complaints filed in *Northtown*, *Cox Motors*, and *Bob Baker* are attached hereto as Exhibits A, B, and C.

Per Rule 7.2 of the Rules of the United States Judicial Panel on Multidistrict Litigation, “[p]otential tag-along actions filed in the transferee district do not require Panel action. A party should request assignment of such actions to the Section 1407 transferee judge in accordance with applicable local rules.” Under Local Rule 40.3(b)(6), “where a civil case is filed as a potential tag-along action in a multidistrict litigation (‘MDL’) proceeding pending in the District,

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<sup>1</sup> Reynolds files this motion without waiver of, and reserving all rights with respect to, the controlling arbitration provisions in its dealer and vendor contracts.

it shall be assigned directly to the judge handling the MDL proceeding.” Both *Northtown* and *Cox Motors*—filed by counsel for the plaintiff in the *Hartley Buick* matter already consolidated as part the MDL—as well as *Bob Baker*—filed by counsel for the plaintiffs in the *Authenticom*, *MVSC*, and *Cox Automotive* cases already consolidated with or designated as a tag-along action to the MDL—involve questions of fact common to the matters previously transferred to this Court as part of MDL 2817 and thus should be reassigned to this Court for coordinated and consolidated pretrial proceedings.

WHEREFORE, Defendants respectfully request that the Court reassign the *Northtown*, *Cox Motors*, and *Bob Baker* cases to this Court for inclusion and consolidation with the other proceedings currently part of MDL 2817.

Dated: February 5, 2018

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I, Britt M. Miller, an attorney, hereby certify that on February 5, 2018, I caused a true and correct copy of the foregoing **MOTION FOR DIRECT ASSIGNMENT OF CASES PURSUANT TO LOCAL RULE 40.3**, to be filed and served electronically via the court's CM/ECF system. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

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